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TO: Assistant Commissioner of Patents  
Box CPA  
Washington, DC 20231

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL**  
[only for Continuation or Divisional applications under 37 C.F.R. §1.53(d)]

Attorney Docket No. 53466/201

INVENTORS: Tadamitsu KISHIMOTO et al.

TITLE: PHARMACEUTICAL COMPOSITION FOR TREATMENT  
OF DISEASES CAUSED BY IL-6 PRODUCTION

*# 25  
60  
22-00*  
This is a request for a X continuation or   divisional application under 37 C.F.R. §1.53(d) [continued prosecution application (CPA)] of prior Application Serial No. 08/817,507, filed on April 17, 1997, as entitled above.

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NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. §1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. §1.53(d), but must be filed under 37 C.F.R. §1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. §1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of the CPA will be construed to include a waiver of confidentiality by the application under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. §1.14 to access to, copies of, or information concerning the prior application may be given similar access to, copies of, or similar information concerning the prior application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. §1.78(a).

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1. X Enter the unentered amendment previously filed on July 19, 1999, August 23, 1999, and September 10, 1999, under 37 C.F.R. §1.116 in the prior nonprovisional application.

01/19/2000 SLUANG1 0000026 08817507

02 FC:131

690.00 OP



2.  Preliminary Amendment enclosed.
3.  This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. §1.53(d)(4).
  - a.  DELETE the following inventor(s) named in the prior non-provisional application:
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new Power of Attorney or authorization of agent is enclosed.
5.  Information Disclosure Statement (IDS):
  - a.  PTO-1449
  - b.  Copies of IDS Citations
6.  Small-entity status:
  - a.  A small-entity statement is enclosed.
  - b.  A small-Entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
  - c.  Is no longer claimed.

**FEE CALCULATIONS:** (Small entity fees indicated in parentheses.)

| (1)<br>For                         | (2)<br>Number Filed | (3)<br>Number Extra | (4)<br>Rate        | (5)<br>Basic Fee<br>\$690 (\$345) |
|------------------------------------|---------------------|---------------------|--------------------|-----------------------------------|
| Total Claims                       | 14 - 20 =           | 0                   | x \$18<br>(x \$ 9) | 0                                 |
| Independent Claims                 | 1 - 3 =             | 0                   | x \$78<br>(x \$39) | 0                                 |
| Multiple Dependent Claims          |                     |                     | \$260<br>(\$130)   | 0                                 |
| Assignment Recording Fee (\$40.00) |                     |                     | \$40               | 0                                 |
| <b>TOTAL FEE:</b>                  |                     |                     |                    | <b>\$690.00</b>                   |

7. **METHOD OF PAYMENT:** A check in the amount of the above TOTAL FEE is attached. If payment by check is NOT enclosed, it is requested that the Patent and Trademark Office advise the undersigned of the period of time within which to file the TOTAL FEE. If payment enclosed, this amount is believed to be correct; however, the Commissioner is hereby

authorized to charge any deficiency or credit any overpayment to  
Deposit Account No. 19-0741.

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NOTE: The prior application's correspondence address will carry over to  
this CPA UNLESS a new correspondence address is provided below.

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NEW CORRESPONDENCE ADDRESS: n/a

Respectfully submitted,



Stephen B. Maebius  
Reg. No. 35,264

Date: January 18, 2000  
Docket No.: 53466/201

